

New Hampshire Rail Transit Authority
Meeting February 20, 2009
LOB, Room 201 – 203

Attendees: David Preece, Christine Walker, Representative Bob Williams, Ted Starkweather, Malcolm Taylor, Ron O'Blenis, Mark Brewer, Kit Morgan, Mike Isbicki, Steve Williams, Kathy Hersh, Steve Pesci, Tim Moore, Bruce Woodruff, Tom Mahon,

1. Call to Order

S. Williams called the meeting to order at 10:20 am. Williams stated that Legislation enabling the Governor to make a fourth appointment to the NHRTA has not yet passed so Steve proposed no elections of officers and executive committee members until the next meeting; Kate Peters from the Governor's office expects the legislation to have passed by the March mtg.

MOTION by Representative Allen, seconded by Christine Walker to wait until the March meeting to elect officers and the executive committee. Motion passed.

2. Public Input

- Joe Goodman just wanted the Authority to know he was pleased to be there
- Jim Vayo asked about process to get \$; relationship to the private sector; relationship to Smart Growth and OEP principles. Steve responded relative to the funding allocation; Kathy responded regarding smart growth and Nashua.

3. Remarks from the Interim Chair

- Kathy Hersh has graciously offered to take minutes
- Thank you to Representatives Williams and Bouchard for getting us the room to meet.

4. Rail Proposals for the Connecticut River Valley and Lebanon Area

City Planner Ken Niemczyk of the City of Lebanon spoke about rail service in the Connecticut River Valley and Lebanon Area. Each year he contacts the top 10 employers in the City to determine employee travel patterns.

5. Distribution of Final Text of Adopted Bylaws

Gratitude expressed to Tim Moore by all the members of the board for the great work and the patience to complete the by-laws.

6. Reports

A. Report by Attorney General's representative David Hilts on NHRTA legal status

Attorney Hilts said he is working diligently to determine if the NHRTA is an agency of the State or an independent government body. His bigger goal is to develop a comprehensive tool for the Legislature because this issue will come up again. He has a list of 80 agencies with various characteristics. Others in his office are helping him to review the agencies and to finalize recommendations with regard to the characteristics of an agency vs. an independent entity. He is through 40 of the 80 agencies. He hopes to have a memo for NHRTA at the March meeting. His goal is to have the State legislature this session consider any changes needed to clarify NHRTA's status.

Attorney Hilts will need very specific goals from NHRTA. He will then compare to the existing statutes and identify changes needed. Mark Brewer asked if the memo will drive the survey questions to NHRTA. Attorney Hilts said yes. He hopes to add the needed changes

to Senator Kelly's bill, which is already going through the process. Rep. Williams said that would probably work.

Bruce said it seems we will need a little time to determine what kind of entity we want to be. Attorney Hilts said he will not be making recommendations. Steve Williams asked if we are going to seek to be "attached" to another agency or independent? He is waiting for pros and cons from Attorney Hilts. Representative Allen reminded everyone that crossover is in April (April 9th). She pointed out that when the bill to form the NHRTA came to the State legislature, it was understood that it would be independent.

B. Report by Interim Executive Director Michael Izbicki on his activities during January and February
Mike reported that he has met with Bruce Woodruff and the Dover city administrator and also with Mayor Guinta from Manchester. Mayor Guinta asked for the meeting; he wanted a presentation on the NH Capitol Corridor. Mayor Guinta is supportive; he is dusting off the previous resolution for the Board of Mayor and Aldermen to reaffirm.

Mike is trying to lay out the NH Capitol Corridor with regard to track location, etc.

C. Discussion of Media Relations (Interim Executive Director Michael Izbicki)

The Authority discussed if there should be a media policy. It was noted that there was language calling for a media policy and outreach committee in the bylaws. It was also noted that a website is needed. Malcolm Taylor said we need to get out in front with press releases, etc. David Preece agreed wholeheartedly.

Kit had offered to host the web site as a page on DOT's site at least in the interim. He is waiting for web services. He will also get us a shorter web address. Christine asked whether we wanted to take advantage of the opportunity or whether the perception of being a part of DOT was too much of a down side, given our previous discussion of being an independent entity. Bill Remington offered to host on NHRRA's web site. Christine said "great web site" but the same issue as with DOT's. Further discussion offered other alternatives, such as temporarily being hosted by one of the RPCs.

MOTION by Christine Walker, seconded by David Preece to continue with DOT on a temporary basis. Motion passed.

Mike Izbicki will draft a media policy for the next meeting.

D. Report on Economic Stimulus package (Jack Ferns/Kit Morgan)

Kit Morgan updated the Authority on the stimulus funding. He said there are three categories relative to rail.

- FTA capital projects – New Starts
 - \$750 million
 - Project must be in construction or able to have a contract within 150 days
 - Already over \$2 billion in New Starts program promised to specific projects
 - This funding source is not likely for the NH project
- Supplemental Surface Transportation funding
 - \$1.5 billion
 - USDOT will issue RFPs by the middle of May
 - 180 days for proposals to be submitted
 - Award in a year from now
- FRA High Speed Corridors / Intercity
 - \$8 billion

- FRA will issue a strategic plan within 60 days on how they will spend
- Program guidance will be available 120 days after strategic plan is issued
- Money must be spent in three years
- High speed excludes commuter rail. We will need to meet the definition of intercity as opposed to commuter.
- No match is required

Steve Pesci asked if it is the same situation as the Downeaster (commuter vs. intercity). Kit said it is just the opposite. Kit said the State would apply for the funding. The Governor can designate an agency to act on his behalf.

Mark Brewer said he went to the Manchester Chamber infrastructure committee meeting this morning and that there's a healthy skepticism. He asked about the operating funds, and whether our lack of any commitment for operating funds will impact our ability to get capital. Steve W. said there's a one to two year development process, so we will need to identify soon. He said it is too late for this session. Mark thinks we will need to know this year to best position ourselves for funding. Kit said we will likely have to submit a financial plan for stimulus funding.

Steve Williams said there are three sources of funding for the operating subsidy – existing State, municipal funding or new revenue sources. He sees “new revenue sources” as the likely source. Steve Pesci asked if the RI model was the same? Williams stated that it is not, because Rhode Island did not need to rebuild track and communications infrastructure, but that will need to be done for this project. Steve Williams said he has presented at various meetings and he thinks generally 85% to 90% of the people would support a \$15 to \$20 cost per household. However, they cannot agree on how to pay that.

E. FY09 Federal Earmark request

Steve W. said we need to continue to push for traditional funding sources. We asked for \$3.2 million last year and are waiting to hear. Congressman Hodes' office suggested we make the same request for FY10 in case we do not get the funding in FY09. Hodes, Tsongas and Shea-Porter are all working together to get funding.

7. Minutes of the January 16, 2009 Meeting

Steve Williams thanked Kit Morgan for preparing the minutes for the January meeting.

MOTION by Tim, seconded by Tom to accept the minutes from the previous meeting. Motion passed. Steve Pesci, Christine Walker, Representative Allen abstained.

Meeting adjourned at noon.

Respectfully submitted,
Katherine Hersh